# Case 3:73-cv-00127

723639 #Z10886 4239885 00CB\$#

07/05/00

05/13/99 10/08/97 66K69# #6.9474 #82081 #45366

08/01/78

Edith L. Keeley to John H. and Marvin C. & Edith Keeley.

James C. McKay to Edith L. Keeley, 1978 Roll.

Quitclaim Deed - Kathleen McKay Devore to James C. McKay, 1971-72 Roll

08/01/78

10/08/97

04/19/71 09/03/68

11/22/61 DATE

DESCRIPTION

Howard McKissick to Alta McKay, 1961-62 Roll.

Alta McKay to James C. & Kathleen McKay, 1968-89 Roll.

DOCUMENT #

DOCUMENT HISTORY:

Frac. SE 1/4 of NE 1/4, Frac. NE 1/4 of SE 1/4, Sec. 28;

LEGAL DESCRIPTION:

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.960

# WALKER RIVER IRRIGATION DISTRICT YERINGTON, NEVADA

ONTAL ONTAL ONTAL ONTAL ONTAL ONTAL ONTAL ONTAL Address: Co<mark>eg</mark> Decree: C-126, P.36; McKay, J.T. P.O. Box 6 Smith, NV 89430 Edith L. Keeley James C. McKay

C.F.S. .010 ACRES .960 3.2076 YLOG STORAGE DAYS PER ACRE ACRE FEET REQUIRED

TOTAL

APPORTIONED ACRE FEET

ACRE FEET TOPAZ RES

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West Walker Pt. of 109

Lyon County No. Ctaim No.

> 10-381-04 240B

index No.

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	.26	PORI RES.
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Acre Feet Storage	Water Rt. Acres	TOTAL ACRES
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	109	CLAIM #
Acre Feet Storage	Water Rt. Acres Non Wir Rt. Acres	TOTAL ACRES

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Executor's Deed - James C. McKay, Executor of the Estate of John Harlin Keeley to James C. McKay (amended to include legal description on

Executor's Deed - James C. McKay, Executor of the Estate of John Harlin Keeley to James C. McKay

Order Settling and Approving First Account and Authorizing Distribution of Estate - John Harlin Keeley deceased to James McKay

# WALKER RIVER IRRIGATION DISTRICT YERINGTON, NEVADA

Greenwood

led 12/19/20 Page 25 of 10 #24042 D042 DOCUMENT # DOCUMENT HISTORY: EGAL DESCRIPTION: Frac. NE 1/4 of NW 1/4, Sec. 11; 12 N, R 25 E 522 Highway 208 Dale S. & Cleo N. Kennedy, Trustees Dale Kennedy & Cleo Kennedy Family Trust Yerington, NV 89447 C.F.S 05/04/00 01/06/71 DATE 8.000 8.000 ACRES Dale S. & Cleo N. Kennedy to Dale S. & Cleo N. Kennedy, Trustees of the Dale Kennedy & cleo Kennedy Family Trust DESCRIPTION Kennedy, McMahan, D.C. & R.J., J.W. & D.A., Lynch & Sullans to Dale S. & Cleo N. Kennedy, 1970-71 Roll. YTUG STORAGE DAYS PER ACRE 2.0592 ACRE FEET REQUIRED TOTAL 16.470 16,470 O. & M. Local No. 3 APPORTIONED ACRE FEET 16.47 TOPAZ RES ACRE FEET 3 BRIDGEFORT RES. ACRE FEET 16.47 CLAIM # Ditch Claim No. Index No. Fm 54 Lyon County No. 12-271-11 Index No. Acre Feet Storage Non Wtr Rt. Acres **TOTAL ACRES** Water Rt. Acres

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ENCUMBRANCE(S): YES   ) NO (X)		William M. Weaver, Jr.         Revocable Trust Agrinni       0.25       56.0       123.0       6 - 8,         dated Oct. 15, 1986	DUTY ENANT CHANGED BY:  CFS AFS ACRES STATUS	PERMIT: 12589  PERMIT: 12589  USE: IRR/DOM CFS: DUTY:  CENTIFICATE: 4640  ISSUED: 3-19-58  CFS: 0.25  DUTY:	SUMMARY OF OWNERSHIP	DIVISION OF WATER RESOURCES
		6-8, 11	REFERENCED	ЛТУ: AFS ЛТУ: 56.0 AFS		
			DESCRIPTION	Page 1 OF 1 ACRES 123.0 ACRES		

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Please retain this sheel underneath the Summary of Ownership form D PERMIT PAGE 1 of 2

William M. Weaver, Jr. Revocable Trust Agrmnt dated Oct. 15, 1986	vviliam M. Weaver, Jr. Revocable Trust Agrmnt dated Oct. 15, 1986	Sweetwaler Ranch Co., Karl & Tina Rodi Family Trust U/D/T dated Dec. 11, 1981	Sweetwater Ranch Co., Karl & Tina Rodl Family Trust U/D/T dated Dec. 11, 1981, Trustors	Rollin P. Eckis & Caroline C. Eckis	Roger Revelle & Ellen C. Revelle	Rollin P. Eckis & Caroline C. Eckis, Karl B. Rodi & Albertina M. Rodi	Muller Bros. (Walter Muller & Frank Muller, partners) & Margaret Muller	GRANTOR
Corte Diablo Capital, Inc.	Corte Diablo Capital, Inc.	William M. Weaver, Jr. Revocable Trust Agrmnt dated Oct. 15, 1986	Fed. Land Bank of Sacramenlo, Trustee and Beneficiary	Sweetwater Ranch Co.	Sweetwater Ranch Co. (Robert Heartt, Albert H. Rodi, Karl B. Rodi, partners)	Roger Revelle	Rollin P. Eckis Karl B. Rodi	GRANTEE
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7379 4-17-90	7379 4-17-90	12589 4-17-90	7379 4-15-83	12589 3-25-99	12569 3-25-99	12589 12-7-50	12589 2-16-53	FILED UNDER DATE
131800 3-14-90	Orig. Occ. 2-27-90 (not recorded	Lyon Co. 103553 11-19-86	Orig. Doc. 3-11-83	91264 2-22-65	91263 2-22-65	10-16-50	58418 10-19-50	DOC # DATE
G. B & S Deed (#095853 in Min. Co.)	Water Rts QC Deed	G, B & S Deed	N of PI & Dead of Tr Loan #237676-7	Grant Deed, their 1/3 int.	Grant Deed, their 1/3 int.	Grant Deed, an undiv. 1/3 int.	Granl Deed, Kundiv. Int. to ea,	DOCUMENT DESCRIPTION/ REMARKS

DEC-13-7000(MED) 80:17

# **ABSTRACT OF TITLE**

Please retain this sheet underneath the Summary of Ownership

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PAGE	PERMIT
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					Harold E. Porter & Sherri Porter	Corte Diablo Capital, Inc.	Corte Diablo Capital, Inc.	GRANTOR	
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# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 7 of 40

IGMES I HALLES
RICHARD O KWAPIL
CASEY W VIAUTIN
COFDON H D'PAOLE
SUELLEN HULSTONE
COMN F SURTHA
STEPHEN S ALNT
W CHRIS WICKER
SHAWN B MEADOR
KIRK S SCHLIMACHER
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S9 JUL -9 ATTORNEYS AND COUNSELORS AT LAW

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OI COMPRES

July 6, 1999

Susan L. Schneider
United States Department of Justice
Environment & Natural Resources Division
Indian Resources Section
999 18th Street, Suite 945
Denver, CO 80202

Re:

United States v. Walker River Irrigation District, et al.

Subproceeding C-125-B Our File No. 1709.0063

Dear Ms. Schneider:

i

I am writing in response to your April 26, 1999, letter which requests "an update of the Walker River Imigation District's lists of names and addresses of persons and entities with any interest in water rights in the Walker River Basin". As set forth below, the Walker River Imigation District (the "District") does not maintain a list of persons and entities that own an interest in Walker River water rights nor does it maintain a list of "all claimants to the water of the Walker River and its tributaries."

The Irrigation District is organized under NRS Chapter 539. Its records of land ownership are used primarily for purposes of assessment under that Chapter. Irrigation District records and lists are not used for and are not intended to be used for determining title to a water right. Title to a water right is transferred by deed. Deeds are recorded in the county where the real property to which the water right is appurtenant is located. See Margrave v. Dermody Properties, 110 Nev. 824, 828, 878 P.2d 291 (1994); NRS §533.382. Therefore, the offices of the county recorder of each county on the Walker River system contain the definitive "list" of Walker River claimants. The "lists" of any other agency, including the District, are at best the beginning of a process to identify such claimants; they

<sup>1</sup> The Court has ordered the Tribe and United States to "serve with process all claimants to the water of Walker River and its tributaries" in accordance with Rule 4 of the Federal Rules of Civil Procedure. See Order entered October 30, 1992 (Docket 15) at 6.

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 8 of 40

Susan L. Schneider July 6, 1999 Page 2

are not the end of that process and should not be relied on as such.

In fact, until October 1, 1995, there was no requirement under Nevada law that an irrigation district even be informed of a transfer of title to a water right. That changed under the provisions of NRS §533.384(1)(b). Nevertheless, in the past the District periodically obtained deeds from the Lyon County Recorder for purposes of updating its records for assessment purposes. That is an ongoing process and thus the District's records evolve as it receives deeds and other ownership information and is able to incorporate that information into its records. As you might imagine, often times a substantial period of time passes before the District receives updated information concerning the conveyance of a particular water right.

With the foregoing in mind, I have enclosed a copy of the District's assessment list and a computer disk with the list for your convenience. The assessment list has been updated with information received by the District as of June 18, 1999. You should also be aware that the boundaries of the District do not encompass the entire Walker River system. Therefore, the information present on the enclosed list does not involve the entire system but only those portions of the system within the District's boundaries.

In the C-125-C subproceeding, the District provided Mineral County's attorneys with information concerning its assessment list. Mineral County and its attorneys simply did not understand the significance and the nature of the information provided by the District. I certainly want to avoid any misunderstanding here with respect to the information provided by the District. Therefore, please contact me if you have any questions concerning the enclosed list.

Sincerely,

Gordon H. DePaoli

GHD/ss

Enclosures

Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 9 of 4011

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PO BOX 2311 RLNO NV 89505

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WILLIAM K. WOODBURN, 1910, 1980. MRGILH, WEDGE 901-2000

COPY FOR TOUR

Gordon H. DePaoli

ic-MAll..: gdcpaoir@woodburniaw.com DIRECT DIAL: (775) 688-3010

October 5, 2000

Via U.S. Mail And Facsimile (303) 312-7379

Susan L. Schneider United States Department of Justice Environment & Natural Resources Division 999 18th Street, Suite 945 Denver, CO 80202

Via U.S. Mail And Facsimile (303) 444-3490

Alice Walker Greene, Meyer & McElroy 1007 Pearl Street, Suite 220 Boulder, Colorado 80302

> United States and Walker River Tribe v. Walker River Irrigation Re:

District, et al.

Our File No. 1709.0063

Dear Susan and Alice:

This letter follows our recent telephone conversation and your September 18, 2000 letter concerning information available from the Walker River Irrigation District (the "District") which may be of assistance to the United States and the Walker River Paiute Tribe in identifying the persons and entities who the United States and Tribe must name as counterdefendants and serve with process as provided in the Court's Case Management Order of April 18, 2000 (the "Case Management Order"). The Case Management Order in paragraph 3 on page 5 identifies several categories of such persons and entities. The information in this letter follows the categories set forth in that paragraph.

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 10 of 40

Susan L. Schneider Alice E. Walker October 5, 2000 Page 2 of 4

The Magistrate's minute order of June 13, 2000 also directed the parties to "come up with a plan as to what other information is necessary." In order to comment on that issue we will need to review the response you receive from the other participants in this process.

# Paragraph (3)(a) - Successors In Interest To Water Right Holders Under The Decree.

The Walker River Decree adjudicated water rights appurtenant to lands located in both California and Nevada. All lands within the District's boundaries are located entirely within the State of Nevada. Therefore, it is important to note that the information discussed below pertains solely to lands located within the District's boundaries and, therefore, within the State of Nevada. The District does not maintain information concerning lands located in California with appurtenant Walker River Decree water rights.

The Lyon County Recorders Office forwards deeds to the District, typically on a monthly basis. The Recorders Office, however, only forwards deeds to the District which it believes include or involve the conveyance of a water right within the District. Upon receiving the deeds, the District's staff reviews them and subsequently updates the District's records based upon that review. The District's staff is comprised of laypersons with no formal training in the interpretation of documents conveying title to real property. We also believe that the review of deeds at the Lyon County Recorders Office's is conducted by lay persons.

The District's records contain two sources of information that are updated with information received from the Lyon County Recorders Office and that may be helpful in ultimately identifying the successors in interest to Walker River Decree water rights holders. First, the District maintains an assessment roll, in computer and hard copy format, which it uses in connection with the levying and collection of its assessments pursuant to Chapter 539 of the Nevada Revised Statutes. In most instances, the name appearing on the assessment roll should accurately identify the current record title holder of a Walker River Decree water right. In some instances, however, the name present on the assessment roll may not accurately identify the current record title holder of a particular Walker River Decree water right. This may occur, for example, when the District does not receive a copy of the document conveying title to the water right from one individual to another, where the information received is not correctly interpreted, or where the ownership of the water right is different than the ownership of the land to which it is appurtenant.

The District also maintains index cards in both computer and hard copy format. The index cards contain a description of a particular water right and of the land to which that water right is appurtenant. Some may also contain a document history that identifies deeds or other cocuments in the chain of title of or related to the particular real property at issue. This history

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Susan L. Schneider Alice E. Walker October 5, 2000 Page 3 of 4

may or may not describe all documents in the chain of title to the real property. The index cards also list the Lyon County assessors parcel number(s) associated with the particular parcel of real property and the name of the individual or entity that the District assesses with respect to that real property. Some cards may have other information on them such as a cross-reference to an earlier index card.

The District retains the deeds forwarded to it by the Lyon County Recorders Office. These deeds are apparently maintained in two separate and distinct ways. First, the deeds are maintained in an alphabetical file pursuant to the last name of the transferee of the water right conveyed. Second, the deeds are maintained numerically in accordance with the document number assigned by the Lyon County Recorders Office.

In some cases ownership of a water right is different than the ownership of the land to which it is appurtenant. Until 1999, the District could only assess the land regardless of who owned the water rights. Even under the 1999 amendments that is the situation unless there is an agreement which provides otherwise. To date there are only a few such agreements. However, the District has begun to maintain a list of persons and entities who appear to own a water right, but not the land to which the water right is appurtenant. That list is available in hard copy. However, it may not be complete for the same reasons that the District's other information may not be complete.

The District will provide you with a computer disk and hard copy of the District's current assessment roll. The District is exploring whether it is possible to provide you with a computer disk and hard copy of information from its index cards which would be useful with respect to both identifying persons and entities in this category and with respect to the related notice of *lis pendens*. That information would include the name of the owner, the assessor parcel number and the description of the real property. If this can be accomplished it will require the assistance of a computer technician. We do not know how expensive this will be. Please let us know whether you desire this information. If you do, we will determine if and at what cost it can be accomplished. We can then discuss payment for it.

# Paragraph (3)(b) - All Holders Of Surface Water Rights Under Nevada And California Law Who Are Not Successors.

The District holds water rights under the Walker River Decree for storage of water in Topaz and Bridgeport Reservoirs. The benefits of these storage rights have been apportioned to certain lands within the District. Any information that the District maintains concerning the identity of the record title holders of lands with appurtenant storage rights will be contained within the assessment roll and index cards as discussed above with respect to

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 12 of 40

Susan L. Schneider Alice E. Walker October 5, 2000 Page 4 of 4

paragraph (3)(a). Once again, the District's records will reflect information solely for lands located within the District and, therefore, within Nevada.

The District also holds permits and certificates to appropriate surface water issued by the Nevada State Engineer. The District does not, however, maintain information on permits or certificates to appropriate surface water issued by the Nevada State Engineer to individuals or entities owning property within its boundaries.

Paragraphs (3)(c) and (d) – Holders of Permits And Certificates For Underground Water And Domestic Users Of Underground Water.

The District holds a permit and certificate to appropriate underground water issued by the Nevada State Engineer. The District does not, however, maintain information on permits or certificates to appropriate underground water issued by the Nevada State Engineer to individuals or entities owning property within its boundaries.

Paragraphs (3)(e), (f), (g), (h) and (i) – Users Of Underground Water For Irrigation In California; Vested Rights To Underground Water In Nevada; Municipal Providers In Nevada Using Underground Water; Municipal Providers In California Using Underground Water; Industrial Users Of Underground Water.

The District does not maintain information on water rights holders under these categories. However, persons and entities using underground water in Nevada for municipal or industrial use in Nevada are likely to be doing so pursuant to permits issued by the Nevada State Engineer.

Sincerely,

Gordon H. DePaoli Dale E. Ferguson

John H. Defail.

GHD:phc

cc:

Marta Adams Linda Bowman Mary Hackenbracht (all via facsimile)

# 5USC~~ Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 13 of 40

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TO AN A COLOR INSELORS AT LAW . 90 NO. ROAD

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1 S. MILL TT5 688-3088

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SHELDANIK, WOODBURN 1999 1897 MEGIL H. WEDGE 1912 2000

GORY FER TOUR

Gordon H. DePaoli

E-MAIL: gdecaoli@woodbumiaw.com DIRECT DIAL: (775) 688-3010

October 10, 2000

Via U.S. Mail And Facsimile (303) 312-7379

Susan L. Schneider United States Department of Justice Environment & Natural Resources Division 999 18th Street, Suite 945 Denver, CO 80202

Via U.S. Mail And Facsimile (303) 444-3490

Alice Walker Greene, Meyer & McElroy 1007 Pearl Street, Suite 220 Boulder, Colorado 80302

SUBJECTION

14 4 14

United States and Walker River Tribe v. Walker River Irrigation Re:

District, et al.

Our File No. 1709.0063

Dear Susan and Ance:

This letter follows our conference telephone call of October 6, 2000 wherein you asked the Walker River Irrigation District (the "District") to describe District election information which may be of assistance to the United States and the Walker River Paiute Tribe in identifying the persons and entities who the United States and Tribe must name as counterdefendants and serve with process as provided in the Court's Case Management Order of April 18, 2000 (the "Case Management Order"). The information which might be obtained from District election information would be limited to the categories of water right holders set forth in Paragraphs 3(a) and 3(b) (with respect to owners of land with apportioned storage water) of the Case Management Order.

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 14 of 40

Susan L. Schneider Alice E. Walker October 10, 2000 Page 2 of 3

Nevada Revised Statutes § 531.127 requires electors to be registered in order to vote. If an elector was registered as of July 1, 1967 or registered after July 1, 1967 and remained eligible, the elector is not required to reregister in order to vote at a succeeding election. However, the electors are required to take and subscribe the registration oath before a Board election on a form provided by the District as evidence of continued eligibility. The District maintains registrations and oaths taken at District elections in hard copy only. Those registrations and oaths are kept separately for each of the five Divisions within the District and are arranged in alphabetical order by elector within each Division. There are five Divisions within the District. Because electors are not required to vote, a canvass of registration cards and oaths will not necessarily produce a listing of all electors. The last District election was April 6, 1999. Registration begins four weeks before any election and closes 14 days before the election. Again, a canvass of registration cards may not include persons and entities entitled to vote who have not registered.

Nevada Revised Statutes § 539.123 allows certain persons and entities to consent to a particular person voting for them or to designate a person to vote for them. The District maintains hard copies of consents and designations for each election in alphabetical order. Designations and consents filed after the last election are kept in hard copy in a separate file. For the same reasons described above, a canvass of hard copies of consents and designations would not produce a complete list of all eligible electors within the District as of April, 1999 or presently.

The District is able to generate from its computer a "Registrar List Worksheet." The Registrar List Worksheet lists electors in alphabetical order, indicates the Division in which the elector is eligible to vote, indicates the water right acres of the elector and the number of votes the elector is eligible to vote. It includes blanks for noting whether the elector is registered and whether the elector voted in the last election. Information for completing those blanks is obtained from a manual examination of the registration cards and from the poll books which are described below. There is no address on the Registrar List Worksheet. The computer is programmed to create the Registrar List Worksheet from information on the Water Right Index cards described in our October 5, 2000 letter to you. The information that is shown in those cards as of the date the computer creates the Registrar List Worksheet is the information shown on the Registrar List Worksheet. In other words, the Registrar List Worksheet is simply a subset of information created from the Index Cards, as is the assessment roll.

A Registrar List can also be created by the computer. The Registrar List is developed alphabetically for each elector by each of the 5 Divisions within the District and includes blanks for the registered voter information, voted in last election information and number of votes which the elector may cast. Water right acres is not included. Again, the

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 15 of 40

Susan L. Schneider Alice E. Walker October 10, 2000 Page 3 of 3

information on the Registrar List is generated from Water Right Index Cards as of the date it is produced. Hard copies of the Registrar List Worksheets and Registrar List remain in the District records.

A poll book is prepared for each election. The poll book is developed manually from the Registrar List Worksheets. The poll book includes the precinct, voter name, a space for the voter to sign, number of votes to be cast, the ballots given to that voter, and information as to whether those ballots were in fact voted. The District retains a hard copy of the poll book from the last election in blank and a hard copy of the poll book from the last election with the information concerning ballot numbers, ballots voted and signatures of persons voting, which information is written into the poll book on election day.

Nevada Revised Statutes § 539.187 states that the general election laws of the State of Nevada apply, so far as applicable, to elections held in irrigation districts. At this point, I have not reviewed those laws to determine the extent to which the information described above is generally public information or is designated to be maintained as confidential information. If, however, you determine that you would like to review this information, I will then examine those laws to determine whether and the extent to which the District can make it available under applicable Nevada law.

Sincerely,

Gordon H. DePaoli

nden K. DeRahi

GHD:phc

cc: Marta Adams Linda Bowman

Mary Hackenbracht (all via facsimile)

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 16 of 40 U.S. Departs of Justice

Environment and Natural Resources Division

Denver Field Office 999 18th Street Suite 945 North Tower Denver, CO 80202 Telephone (303) 312-730\(\text{Facsimile}\) (303) 312-7374

By telefacsimilie and regular U.S. mail transmission:

October 23, 2000

Gordon H. DePaoli Woodburn, Wedge & Jeppson Post Office Box 2311 Reno, Nevada 89505

Re: U.S. v. WRID, et al. (D. Nev.)

Dear Mr. DePaoli,

I would like to follow up with you concerning the Walker River Irrigation District's ("District") information regarding the identification of individuals and entities within the categories set forth in the Case Management Order.

First, I do not believe that we have received the District's current assessment roll, which was promised to us in hard copy and computer disk.

Second, we would like to know if the District will allow review and copying of its index cards, in both hard copy and computer format. As we discussed previously, we anticipate receiving from the District samples of what is contained on the computer format of these cards. Thereafter, if requested by the United States and the Tribe, the District will ascertain the costs associated with the production of some amount of information from this computer directory, and thereafter production of this computer information may be arranged.

Third, we would like to know if you and the District have completed your assessment of the confidential status of the variety of election-related information identified to us. If you believe any of this is confidential, please identify what materials you consider confidential and why, so that we may review your assessment and possibly raise the matter further with the Court.

We are in the process of trying to arrange for review and copying of the various parties' materials, as identified to us,

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 17 of 40

and want to make this effort as efficient and economical as possible. Hence, I am beginning to follow up with the various parties to confirm the availability of documents and arrange for their production and review.

Please call me if you have any questions. I look forward to hearing from you.

Ansa J. Schnard

Susan L. Schneider, Attorney Indian Resources Section U.S. Department of Justice

999 18<sup>th</sup> Street

Suite 945, North Tower Denver, Colorado 80202

(303) 312-7308

cc: (by U.S. mail only)

j

Alice Walker Linda Bowman Marta Adams

Mary Hackenbracht Michael Neville George Benesch

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 18 of 40 U.S. Department of Justice

Environment and Natural Resources Division

Denver Field Office 999 18th Street Suite 945 North Tower Denver, CO 80202 Telephone (303) 312-7308 Facsimile (303) 312-7379

#### By telefacsimilie and regular U.S. mail transmission:

November 1, 2000

Gordon H. DePaoli Woodburn, Wedge & Jeppson Post Office Box 2311 Reno, Nevada 89505

Re: <u>U.S. W. WRID, et al.</u> (D. Nev.)

Dear Mr. DePaoli,

This letter follows my letter to you of October 23, 2000, which sought to resolve the outstanding issues concerning the Walker River Irrigation District's ("District") information relative to the identification of individuals and entities within the categories set forth in the Court's April 18 Case Management Order. I have received no response to this letter, nor has Alice Walker been able to contact you to discuss the matter.

As you know, we are trying to arrange for a contractor, Dennis Becker, to travel to Nevada to review and copy files. We had hoped that he could travel out next Monday, November 6. To that end, Mr. Becker has spoken with office personnel at the U.S. Board of Water Commissioners and the District to ascertain convenient times for his visit, to confirm the identity and presence there of documents to be reviewed and copied, and to discuss copying arrangements. Both offices agreed tentatively to his visiting during the week of November 6.

The agreement of the District's office to Mr. Becker's visit was conditioned on your approval, as its counsel, of the documents that would be available for review. Since this issue is not resolved, we are unable to arrange for Mr. Becker's visit. We need to clarify the scope of documents available for review and copying in advance of his trip so that his visit will be as efficient as possible. Moreover, Mr. Becker needs to arrange his travel at least one week in advance of his trip because of the high cost of airfare, particularly for trips scheduled less than seven days prior to departure.

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At this point, we have had to cancel Mr. Becker's plans to travel to Yerington during next week. The next time he will be able to schedule a trip will be during the week of December 4-3. This appears to be the earliest time that all parties are available. For example, we have been told that the U.S. Board of Water Commissioners staff is unavailable the week of November 13, and the upcoming Thanksgiving holiday presents further scheduling conflicts for most persons.

Please contact me as soon as possible to resolve the issue of what documents will be available for our review and copying. In addition, as I wrote in my last letter, I do not believe that we have received the District's current assessment roll, which was promised to us in hard copy and computer disk. Second, we would like to know if the District will allow review and copying of its index cards, in both hard copy and computer format. As we discussed previously, we anticipate receiving from the District samples of what is contained on the computer format of these cards. It would be helpful to resolve this issue in advance of Mr. Becker's visit to the District offices. If requested by the United States and the Tribe, the District has agreed to ascertain the costs associated with the production of some amount of information from this computer directory, and thereafter we can arrange production of this computer information.

Third, we would like to know if you and the District have completed your assessment of the confidential status of the variety of election-related information identified to us. If you believe any of this is confidential, please identify what materials you consider confidential and why, so that we may review your assessment and possibly raise the matter with the Court. This is an issue that we would also like to resolve before Mr. Becker's visit to the District/U.S. Board of Water Commissioner offices.

I look forward to hearing from you.

Sincerely,

Susan 2. Schneider, Attorney Indian Resources Section U.S. Department of Justice

Ansa T. Marie

999 18th Street

Suite 345, North Tower Denver, Colorado 80202 (303) 312-7308

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 20 of 40

cc: by U.S. mail only

1

Alice Walker Linda Bowman Marta Adams Mary Hackenbracht Michael Neville George Benesch

#### Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 21 of 40 TX REPORT \*\*\* INFORMATION

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#### FAX TRANSMITTAL COVER SHEET

UNITED STATES DEPARTMENT OF JUSTICE ENVIRONMENT AND NATURAL RESOURCES DIVISION INDIAN RESOURCES SECTION 999 18TH STREET, SUITE 945 - NORTH DENVER, COLORADO 80202

PHONE: 303-312-7313 / FAX: 303-312-7379

DATE: November 1, 2000

NO. OF PAGES 3 + COVER SHEET

ADDRESSEE:

FAX NUMBER:

Gordon DePaoli

775/688-3088

FROM:

Lorrin C. Dyer, Indian Resources Section, Denver

RE:

Walker River

Special Instructions:

Please see following letter from Susan Schneider dated 11/1/00 re U.S. v. WRID, et al. (D. Nev.) - for your information. Original will be mailed today. Much

thanks, Lorrin

(secretary to Susan Schneider)

Case 3:73-cv-00127-RCJ-WGC Document 2 FINE of 1/2/1/9/10/9 Page 22 of 40

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WOODBURN AND WEDGE 1. July 2311 18 No. 88, 89505 TTE NAME STATE 1150 SINDER 773 638-3088

Zauthoria auzelli w SPREADER WITHOUT COMMON

November 2, 2000

Gordon H. DePaoli E-MAIL gdepaoli@woodburnlaw.com DIRECT DIAL: (775) 688-3010

#### Via Federal Express and Facsimile (303) 312-7379

Susan L. Schneider United States Department of Justice Environment & Natural Resources Division 999 18th Street, Suite 945 Denver, CO 80202

> United States and Walker River Tribe v. Walker River Irrigation Re:

District, et al.

Our File No. 1709.0063

Dear Susan:

You letter of October 23, 2000 and Alice Walker's phone message for me came at a time when Dale and I were both fully occupied with other matters. Since then we have received your letter of November 1, 2000. We were unable to respond before now.

District Assessment Roll.

The original of this letter which is being sent to you via Federal Express includes a copy of the District's current assessment roll in hard copy format and on computer disk. The assessment roll provides relevant information contained within the District's records with respect to the identification of the water right holders as described in Categories 3(a) and 3(b) of the Case Management Order and my October 5, 2000 letter to you and Alice Walker. The assessment roll provides the name and address of the individual or entity that the District bills its assessment to as provided for in Chapter 539 of the Nevada Revised Statutes.

District Surface and Groundwater Permits.

1 am also enclosing copies of Certificate Nos. 8859 and 8860 issued by the Nevada State Engineer to the District with respect to surface water on the West and East Walker Rivers. I am enclosing a copy of Permit No. 9405 for the Hoye Canyon Reservoir. Finally, I am enclosing a copy of Certificate No. 8861 issued to the District for underground water in Nevada.

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 23 of 40

Susan L. Schneider November 2, 2000 Page 2

#### District Index Cards.

Enclosed are copies of District index card Nos. 11000, 4751, 4300, 221 and 400. These are examples of the index cards maintained by the District.

#### District Voter and Election Information.

With the exception of where a person registers to vote and in certain cases the address of a voter, it does not appear that the District voter and election information described in my October 10, 2000 letter to you and Alice Walker is protected against disclosure.

#### District Documents Available for Review and Copying and the Becker Visit.

As you know the Case Management Order stays all discovery, except at an appropriate time with respect to threshold issues and the basis for the Tribal Claims. It does allow the Magistrate Judge the discretion to decide how "information shall be obtained by the U.S./Tribe to enable them to identify the individuals and entities with claims to surface water and/or groundwater in the Walker River Basin who are the appropriate counterdefendants to the U.S./Tribe Claims." None of us should lose sight of that purpose; nor should we make our efforts to achieve it unnecessarily complicated.

As my letter of October 5, 2000 to you and Alice Walker stated, the District does not maintain information concerning categories 3(c) through 3(i) of the Case Management Order. The enclosed assessment roll in hard copy and computer format is the best information the District has concerning the identity of individuals and entities with claims to surface water in categories 3(a) and 3(b) of the Case Management Order.

The District's index cards provide no information on identification of such persons and entities which is not already provided by the assessment roll. The District's voter and election information provides no more, and in some cases less, information on identification than does the assessment roll.

Under these circumstances, I do not believe it necessary for the United States and Tribe to obtain copies of the District's index cards as suggested in your two letters. If you disagree, please provide me with some explanation as to why you believe copying the index cards is necessary for the purpose of enabling you to identify the appropriate counterdefendants as set forth in the Case Management Order.

As discussed in my October 5, 2000 letter, the District also retains deeds obtained by it from the Lyon County Recorders Office. The District will allow you or your agent to inspect those copies and if requested will make copies of those deeds for a charge of \$1.00 per page. That is the amount which Lyon County charges the District for the copies it obtains.

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 24 of 40

Susan L. Schneider November 2, 2000 Page 3

Your letter of October 23, 2000 said nothing of scheduling a visit by your contractor, during the week of November 6, 2000. With the possible exception of inspecting the deeds obtained from the Lyon County Recorder's Office, for the reasons stated above, there really is no need for Mr. Becker to visit the District's office. However, I will withhold final judgment on that issue until I have heard from you on why you believe the index cards and voter and election information may be needed for the purpose stated in the Case Management Order.

To the extent that it is ultimately concluded that there is a need for your representative to inspect index cards and voter and election information in the District office and then to have copies of those documents made, we will need to proceed in a manner which minimizes disruption in the District's day-to-day business and which insures the integrity of District records. Although I welcome your thoughts on this matter, the District does not allow third parties carte blanche access to its records. Persons are required to describe the information sought. District personnel retrieve the information and if a copy is requested, make the copy. That is how we should proceed here. If the magnitude of your request is large and either existing or temporary District staff must spend substantial time retrieving and copying information, there will be a charge based upon the time involved and that person's cost to the District and also a charge of .25 per page copied.

In light of the fact that your representative's next opportunity to travel to Yerington is the week of December 4, 2000, between now and then we should be able to identify what, if anything, he may inspect. In addition, we should be able to agree upon the procedure to be followed, the charges which will be imposed and the manner of payment. However, these details must be worked out between you and me. There is no need for and Mr. Becker to and he should not contact the District office on those details.

Sincerely,

Gordon H. DePaoli

GHD:phc Enclosures

cc:

Alice Walker
Marta Adams
Linda Bowman
Mary Hackenbracht
(all via facsimile and U.S. Mail, w/o encls.)

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 25 of 40

WALKER RIVER IRRIGATION DISTRICT Assessment List September 30, 2000

Dennis J. & Linda L. Acciari P. O. Box 36 Smith, NV 89430

Aiazzi Ranches 31 Aiazzi Lane Yerington, NV 89447

Pete A. & Estelle M. Aiazzi 160 Der smore Lane Yerington, NV 89447

Wilbert Angelo Aiazzi 217 N. Whitacre St. Yerington, Ny 89447

William E. & Florence M. Albee 10425 Red Rock Rd. Reno, NV 89506

Albright Family Trust
Samuel D. & Cheryle J. Albright, CoTrustees
P. O. Box 62
Wellington, NV 89444

C. Fred Aldridge Terry L. Bunkowski 34 Rio Vista Yerington, NV 89447

Edward A. Andrews Trust
Edward A. Andrews, Trustee
122 Hudson-Aurora Road
Smith, NV 89430

Alton & Susan Anker P. O. Box 313 Wellington, NV 89444

Annett Ranch, a Limited Partnership 7 Marlette Dr. Carson City, NV 89703

Lorna Arcularius Trust Agreement Lorna Rt. Arcularius, Trustee 1061 Ed Powers Road Bishop, CA 93514

Mark N. and Deborah F. Arrighi 49 Fairway Dr. Yerington, NV 89447 Arsenio Family Trust Frank & Tillie Arsenio, Trustees 813 S. Moffett Road Turlock, CA 95380

Kimberly L. Ash 627 E. J St. Ontario. CA 91764

C & J Attaway Family Trust
Jerry R. & Cheryl Murillo Attaway, Trustees
4949 Centennial Blvd.
Santa Clara, CA 96064

Elmo E. & Margot A. Aylor Box 498 Highway 208 Yerington, NV 89447

Milton E. Bacon Jr. 1992 Trust Milton Edward Bacon, Jr., Trustee 1675 Foothill Road Gardnerville, NV 89410

Donald A. & Olga M. Balaam #17 Campbell Lane Yerington, NV 89447

David G. & Cynthia R. Bammer 16 Old Ranch Rd. Wellington, NV 89444

Roger L. Banta 608 Pearl St. Yerington, NV 89447

Ronald T. & Sylvia J. Banta P. O. Box 866 Yerington, NV 89447

Baptist 1999 Family Trust
Joe Silvera Baptist III & Lorraine F. Baptist,
aka Lorraine Xavier Baptist, Trustees
100 Penrose Lane
Yerington, NV 89447

Bar Keystone Ranch, a General Partnership P. O. Box 646 Carson City, NV 89702

Harriet H. Barber 138 N. Highway 95A Yerington, NV 89447

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 26 of 40

Josephine Shipley Batchelder and Fred C. Batchelder 1983 Family Trust Fred C. Batchelder and Josephine Shipley Batchelder, Co-trustees c/o Connie Jansen 2170 Tamarisk Drive Reno, NV 89502

Ronald J. & Barbara C. Bath 3307 Kingfisher Drive Reno, NV 89509

Cameron M. Batjer Family Trust Cameron M. Batjer, Trustee Christina Batjer Marybel Batjer Lura B. Caldwell 3925 Skyline Blvd. Reno, NV 89509-5691

Billy Roy & Thelma Grace Beagle 3590 Round Bottom Rd. #F153361 Cincinnati, OH 45244 (WATER RIGHTS RESERVED BY BOBRICK)

James D. & Terri Bednark 834 W. Bridge Street Yerington, NV 89447

James D. & Terri L. Bednark 5A West Pursel Lane Yerington, NV 89447

Theodore W. & Ines Beilke Alfred J. & Dorothy Spigarelli 4285 Country Club Dr. Long Beach, CA 90807

Richard H. & C. Ellen Bein 10 Jessen Road Wellington, NV 89444

Brian William Bell Shelley Edwards P. O. Box 316 Wellington, NV 89444

Janet S. Bennett 77 Lower Colony Rd. Wellington, NV 898444

Bently Family Limited Partnership P. O. Box B Minden, NV 89423 Gary M. & Susan P. Berrington 7 Miller Ridge Road Wellington, NV 89444

Steven D. & Nadine L. Berrington 301 Helen Ave. Yerington, NV 89447

The 2000 David E. & Marilyn L. Biggs Revocable Living Trust Agreement David E. & Marilyn L. Biggs, Trustees 163 N. Hwy 95A Yerington, NV 89447

Ken & Peggy Bitler Family Trust Kenneth & Peggy L. Bitler, Trustees P. O. Box 250 Yerington, NV 89447

Ken & Peggy Bitler Family Trust
Kenneth & Peggy L. Bitler, Trustees
Marvin & Lynn Peterson Trust
Marvin F. & Lynn M. Peterson. Trustees
P. O. Box 250
Yerington, NV 89447

Peggy Lynn Bitler Edward J. & Laurie Lynn Wilson Troy Kent & Karen Coutts P. O. Box 250 Yerington, NV 89447

Blakely Family Living Trust
Robert Willard & Beverly June Blakely,
Trustees
100 Farrell Lane
Yerington, NV 89447

1988 Blanchard Living Trust
Stephen E. & Linda J. Blanchard, Trustees
P. O. Box 56
Wellington, NV 89444

James M. & Pamela A. Blasco 866 Hwy 208 Yerington, NV 89447

James M. Blasco Family Ltd Partnership 866 Hwy 208 Yerington, NV 89447

Thomas & Ruth E. Bobrick #8 Tognoli Lane Yerington, NV 89447

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 27 of 40

Dolores J. Bobzien Elizabeth Richardson P. O. Box 598 Yerington, NV 89447

Billy Frank and Julie Ann Bolt 27 Circle Dr. Wellington, NV 89444

Billy F. Bolt 27 Circle Dr. Wellington, NV 89444

Bolton-Rose Trust
Bolton Frances Minister, Trustee
55 East Tognoli Lane
Yeringtori, NV 89447

Karen Booth ; 139 N. Highway 95-A Yerington, NV 89447

Kirk A. & Carolyn C. Booth P. O. Box 78 Smith, NV 89430

Borsini Ranch, Inc. #7 Borsini Lane Yerington, NV 89447

William D. & Jacqulyn J. Botelho P. O. Box 45 Smith, NV 89430

Wayne Bowman
Beverley Gold
Victory Hawkins
35 Highway 208
Yerington, NV 89447
(WATER RIGHTS RESERVED BY
WEAVER PROPERTIES, L. L. C.)

Albert S. Jr. & Olivia V. Bozsik 34 Rivers Road Wellington, NV 89444

Vincent S. Bracken 167 Hwy 208 Yerington, NV 89447

Bradleyville 10960 Wilshire Blvd. #820 Los Angeles, Ca 90024 Clarence D. & Janet R. Brethauer 130 Penrose Lane Yerington, NV 89447

Thomas J. & Muriel L. Bromley 177 Hwy 208 Yerington, NV 89447

Samuel P. Bronneke Box 693 Highway 208 Yerington, NV 89447

Beverly E. Brown P. O. Box 167 Yerington, NV 89447

Darrol J. Brown P. O. Box 834 Yerington, NV 89447

Joel Wesley & Sandra Gail Brown 165 Pete Hendrichs Road Yerington, NV 89447

Norman D. Brown, Inc. P. O. Box 108 Wellington, NV 89444

Ross Brown Lois L. Brown 14-A N. Hwy 95A Yerington, NV 89447

Vernon F. Bryan, Inc. 539 Lower Colony Road Wellington, NV 89444

Joseph Lee Burchett P. O. Box 11853 Reno, NV 89510

Kenneth R. & Sharon L. Burnett 16 Crosby Ln. Smith, NV 89430

David C. & Gayle L. Buster 16 Fairway Drive Yerington, NV 89447

Jeri Buttler 195 Artesia Rd. Wellington, NV 89444

C.E.A.S. Co., Inc. P. O. Box 61 Smith, NV 89430

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 28 of 40

CG Bar LLC 43 Artes a Road Wellington, NV 89444

Joseph P. Cabral P. O. Box 32 Wellington, NV 89444

Sandra J. Callaham Trust
Sandra J. Callaham, Trustee
75 Wilson Canyon Drive
Yerington, NV 89447

Calvest Associates 1295 67<sup>th</sup> St. Emeryville, CA 94608

Nolan and Nancy Cantrall Family Trust Agreement , Nolan L. and Nancy L. Cantrall, Co-Trustees 600 Stanford Way Sparks, NV 89431

Janice E. Capurro Trust
Robert S. & Rose Capurro, Co-Trustees
455 Sunnyside Drive
Reno, NV 89503

Kathleen G. Cardinelli 35 MacKenzie Lane Yerington, NV 89447

Paul Kent & Shelley Carlin 33 MacKenzie Lane Yerington, NV 89447

Tod F. Carlini 216 S. West St. Yerington, NV 89447

Tod F. Carlini Tod V. Carlini 216A S. West St. Yerington, NV 89447

Bill Eric & Sharon Marie Carlson Family
Trust Agreement
Bill Eric & Sharon Marie Carlson, Trustees
P. O. Box 685
Gardnerville, NV 89410

Bill Eric & Sharon Marie Carlson P. O. Box 685 Gardnerville, NV 89410 Bill Eric & Sharon Marie Carlson Family
Trust
Bill Eric & Sharon Marie Carlson, Trustees
John P. & Marilyn Ithurburu
P. O. Box 378
Wellington, NV 89444

Carpenter Living Trust
Tommie R. & Virginia L. Carpenter,
Trustees
770 Hwy 208
Yerington, NV 89447

Ernie L. & Barbara R. Carpenter Living Trust Ernie L. & Barbara R. Carpenter, Trustees 5544 54<sup>th</sup> Court S.E. Salem, OR 97301

Ray W. & Elizabeth K. Carrasco P. O. Box 2387 Gardnerville, NV 89410

Philip A. Case 2100 Old Highway Catheys Valley, CA 95306

Casino West, Inc.
11 N. Main St.
Yerington, NV 89447
(WATER RIGHTS RESERVED BY
LELAND L. SPRAGUE)

Colleen V. Castello Bruce H. Gemmell P. O. Box 393 Yerington, NV 89447

John N. & Judith A. Cefalu P. O. Box 33 Smith, NV 89430

Russell E. & Helen B. Chase 551 Highway 208 South Yerington, NV 89447

Russell E. Chase Family Trust Agreement Russell & Helen B. Chase, Co-Trustees 551 Highway 208 South Yerington, NV 89447 (WATER RIGHTS QUITCLAIMED TO HUNEWILL ENTERPRISES)

James V. Chico, Jr. 26 E. Pursel Lane Yerington, NV 89447

# Case 3:73-cv-00127-RCJ-WGC Document 2 Filed 12/19/00 Page 29 of 40

David G. Chilcote 2825 Hwy 208 Wellington, NV 89444

David G. Chilcote Teresa M. Gutierrez Armeda Herrera 2831 Hwy 203 Wellington, NV 89444

Chisum, nc. P. O. Box 103 Yerington, NV 89447

Christensen 1989 Trust
Edgar Lyle & Mary Christensen, Trustees
1064 University Ridge Dr.
Reno, NV 89512

James D. & Elaine M. Cid 1403 Highway 208 Yerington, NV 89447

Circle Bar N Ranch c/o Western Nevada Supply P. O. box 1576 Sparks, NV 89432

Alex A. & Rita V. Clark 865 Hwy 208 Yerington, NV 89447

Angelique Clark, Bankruptcy Trustee For A Company of Spragues, Inc. c/o Wayne S. Chimarustic, Esq. 300 West Second St. Carson City, NV 89703 (WATER RIGHTS RESERVED BY LELAND SPRAGUE)

Clements Family Trust
Milton R. Clements, Trustee
15 Nordyke
Yerington, NV 39447

Norman E. & Donald A. Cliff 5545 Franktown Road Carson City, NV 89704

Compston Family 1982 Trust
James & Marion F. Compston, Trustees
Harvey & Phyllis Hunewill
P. O. Box 36
Wellington, NV 89444

Compston Family 1982 Trust
James & Marion F. Compston, Trustees
P. O. Box 36
Wellington, NV 89444

Compston Joint Revocable Inter Vios Trust Robert J. & Lois C. Compston, Trustees P. O. Box 9 Smith, NV 89430

Thomas P. & Volina L. Connolly 73 Highway 95-A East Yerington, NV 89447

Gary & Margaret Cook 30 Greenacres Lane Yerington, NV 89447

James P. & Norma Annett Costa 7 Marlette Dr. Carson City, NV 89703

Susan Jill Crandall 1375 Marlette Cr. Gardnerville, NV 89410

William G. Cremetti Trust, William G. Cremetti, Trustee Ruby C. Regan Trust, Ruby C. Regan, Trustee c/o Verna Debrick 49 Eureka Dr. Carson City, NV 89706

Fred & Judy Crosby
Armstrong Family Trust
Thomas C. & Rita L. Armstrong, Trustors
&/or Trustees
7434 Baldwin Circle
Sparks, NV 89419

Curtis and Sons Construction, Inc. P. O. Box 2911 Minden, NV 89423

Donald G. & Dee Anne Cutler P. O. Box 1030 Yerington, NV 89447

Frank R. & Susan M. Dane 187 Highway 208 Yerington, NV 89447

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Davis Family Trust

Jerry L. & Judith A. Davis, Trustees
11 N. Nevada St.

Yerington, NV 89447

James B. & Helen E. Davis P. O. Box 287 Wellington, NV 89444

Stephen R. & Sandra K. Day P. O. Box 31 Bishop, CA 93514

Susannah W. DeChambeau P. O. Box 962 Yerington, NV 89447

DeGroot Family Trust
Charlene & Roy DeGroot, Trustees
P. O. Box 756
Yerington, NV 89447

Daniel E. & Cherryl Ann Del Porto Igina M. Moreda and Julie A. Del Porto 155 N. Highway 95A Yerington, NV 89447

Kenneth T. DeLuca 2885 Ribera Road Carmel, CA 93923 (WATER RIGHTS RESERVED BY D. FULSTONE)

Desert Fearl Farms, a General Partnership P. O. Box 35 Yerington, NV 89447

Diehl Family 1999 Revocable Living Trust Gordon & Martha Diehl, Trustees P. O. Box 16 Yerington, NV 89447

Dinneen Family 1997 Trust
Daniel E. & Doreen E. Dinneen, Trustees
P. O. Box 295
Yerington, NV 89447

Joseph & Gladys Domenici Lona Marie Domenici-Reese P.O. Box 333 Yerington, NV 89447

Double JA Land and Livestock Co., Inc. P. O. Box 797 Sparks, NV 89431 Steven M. Douglas Debra A. Draper-Douglas P. O. Box 344 Yerington, NV 89447

Roland & Joan Dreyer P. O. Box 254 Minden, NV 89423

Daniel D. Dunn P. O. Box 72 Yerington, NV 89447

Oliver A. & Barbara R. Duval 3 Hall Lane Yerington, NV 89447

ELW Ranches, Inc. c/o Wiegand Resources, Inc. 165 W. Liberty Reno, NV 89501

Tom A. & Janice O. Ehrhart 375 Curry St. Fernley, NV 89408

William J. & Dona M. Elwell 3930 River Haven Drive Reno, NV 89509

Salvador & Frances Estrada 26865 Ironwood Ave. Morena Valley, CA 92360

Virginia M. Everett 3 Circle Drive Wellington, NV 89444

F & B Trust
Frederick E. & Barbara L. Alpers, CoTrustees
192 Hudson Aurora Rd.
Smith, NV 89430

F.i.M. Corporation P. O. Box 12 Smith, NV 89430

Michael Faretto Family Trust
Michael & Cathleen Faretto, Trustees
Andersen Family 1992 Trust
Carl W. & Diana L. Andersen, Trustees
P. O. Box 2244
Sparks, NV 89432

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Michael Faretto Family 1996 Trust
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Andersen Family 1992 Trust
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Vivian D. Fulstone Trust
Vivian D. Fulstone, Trustee
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(WATER RIGHTS DEEDED TO LYON COUNTY)

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Paul & Eleanor C. Gelles Paul & Lynn Gelles 309 N 300 W Biackfoot, ID 83221

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Cathy Kerrigan
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(WATER RIGHTS OWNED BY HUNEWILL
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Dante J. & Eleanor B. Lommori 1982 Family Trust Dante J. Lommori, Trustee 713 Pearl Street Yerington, NV 89447

Dante J. & Eleanor B. Lommori 1982 Family Trust
Dante J. Lommori, Trustee
Joseph J. & Bessie J. Lommori Trust
Joseph J. & Bessie J. Lommori, Co-Trustees
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Joseph J. Lommori and Bessie J. Lommori Trust Joseph J. & Bessie J. Lommori, Co-Trustees 710 Pearl Street Yerington, NV 89447 Julio & Delia Lommori Trust
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Natale Lommori, Jr. Karen Lommori 20 Mesa Dr. Wellington, NV 89444

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Madden Family Trust
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Las Vegas, NV 89102

Gerald & Lois Madden 512 Madden Lane Yerington, NV 89447

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Mathews Family Trust
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Harold Moore P. O. Box 987 Yerington, NV 89447

Harold Moore Trust Harold Moore, Trustee P. O. Box 987 Yerington, NV 89447

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Moreda Dairy 12 Peeples Lane Yerington, NV 89447

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Arina Nannini Revocable Trust
Annie Nannini, Trustee
Joseph A. Giodo Revocable Trust
Joseph A. Giodo, Trustee
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Agreement
Jack S. & Arlene D. Oakes, Co-Trustees
Rupe Family Trust
Marvin L. & Sylvia Jean Rupe, Co-Trustees
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